

The Honorable John H. Chun

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

CHRISTOPHER BROWN, SCOTT GRAEBER,  
LAURA LOES, LETICIA SHAW, and DAVID  
ATWOOD, on behalf of themselves and all  
others similarly situated,

Plaintiffs,

v.

AMAZON.COM, INC., a Delaware corporation,  
Defendant.

No. 22-cv-00965-JHC

STIPULATED MOTION AND  
[PROPOSED] ORDER  
(1) EXTENDING TIME TO  
RESPOND TO COMPLAINT,  
(2) ESTABLISHING SCHEDULE  
FOR MOTION TO DISMISS, AND  
(3) DEFERRING PRESUMPTIVE  
CLASS CERTIFICATION  
DEADLINE

***NOTE ON MOTION CALENDAR:***  
August 2, 2022

**STIPULATION**

The parties, by and through their counsel, stipulate and agree as follows:

1. Plaintiffs filed this lawsuit on July 13, 2022, and served Amazon.com, Inc. (“Amazon”) with the Summons and Complaint on July 18, 2022.
2. Under Fed. R. Civ. P. 12(a)(1)(A)(i), Amazon’s deadline to respond to the complaint is August 8, 2022, absent an extension of time.
3. Amazon has asked Plaintiffs’ counsel for additional time to respond to the Complaint, and Plaintiffs’ counsel have agreed. Plaintiffs and Amazon therefore stipulate and agree to extend Amazon’s deadline to answer or otherwise respond to the Complaint until September 30, 2022.

STIPULATED MOTION AND ORDER ON MTD BRIEFING  
SCHEDULE AND CLASS CERTIFICATION DEADLINE  
22-CV-00965-JHC (22-cv-00965-JHC) - 1

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4. In the event Amazon elects to file a motion to dismiss or similar motion rather than an answer, Plaintiffs and Amazon have agreed to a briefing schedule on that motion as follows:

Motion due: September 30, 2022

Opposition due: November 14, 2022

Reply due: December 14, 2022

Pursuant to this agreement and LCR 7(d)(2), the noting date for Amazon's motion will be the first Friday following the completion of briefing, i.e., December 16, 2022.

5. Plaintiffs and Amazon jointly request that the Court defer the presumptive deadline for class certification, set by Local Rule 23(i)(3), which currently requires Plaintiffs to move for class certification by January 9, 2023. Good cause exists to extend the class certification deadline because it is likely under the extended briefing deadlines the Parties here propose that the Court will not have a sufficient opportunity to review and rule on Amazon's motion to dismiss before the presumptive deadline for Plaintiffs' class certification motion. Good cause also exists because the issues raised in the complaint, should it survive Amazon's motion to dismiss, will require discovery before Plaintiffs can file their class certification motion, and any expert reports filed in connection with the class certification motion will need to be grounded in facts disclosed during discovery. The parties further agree that if the Court denies Amazon's motion to dismiss Plaintiffs' complaint, they will propose a class certification briefing schedule promptly following the Court's disposition of the motion to dismiss.

IT IS SO STIPULATED.

DATED this 2nd day of August 2022.

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**ORDER**

Pursuant to stipulation, IT IS SO ORDERED.

Dated this \_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
John H. Chun  
United States District Judge